



# **CITY OF SANTA BARBARA**

## **CITY COUNCIL MINUTES**

### **REGULAR MEETING**

**April 8, 2008**

### **COUNCIL CHAMBER, 735 ANACAPA STREET**

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#### **CALL TO ORDER**

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m., and the Finance Committee met at 1:00 p.m.)

#### **PLEDGE OF ALLEGIANCE**

Mayor Blum.

#### **ROLL CALL**

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

#### **CEREMONIAL ITEMS**

1. Subject: Proclamation Declaring April 6-12, 2008, As Assistance League Week (120.04)

Action: Proclamation presented to Sandy Allen, Leah Topenko, Tommi Topenko, Leana Shut, Susan Ingels, and Sue Heibert, representatives of the Assistance League of Santa Barbara.

2. Subject: Proclamation Declaring April 2008 As Autism Awareness Month (120.04)

Action: Proclamation presented to Marsha Eichelberger and Sandy Shove, President and Vice President, respectively, of the local chapter of the Autism Society.

## **PUBLIC COMMENT**

Speakers: Ruth Wilson, Grant Marcus, David Wass, Judith Evered, Lois Hamilton, Lauren McElroy Herrera, Nancy Tunnell, Bret Alan Hughes, Andrew Hankin, Dottie McIntosh, Leoncio Martins, Michal Lynch, Bob Hansen, Mr. Pennington, Tarech Reheem, Cindy Piestr, Gail Hodgson, Andrea Roselinsky, Jeanne Reeves.

## **ITEM REMOVED FROM CONSENT CALENDAR**

5. Subject: Adoption Of Ordinance Approving The First Amended And Restated Lease With Santa Barbara Maritime Museum (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the First Amendment to Lease No. 19,075, with an Initial Term of Five Years Plus Seven Five-Year Options, with the Santa Barbara Maritime Museum, Effective April 10, 2008, for a 7,725 Square-Foot Space Located at 113 Harbor Way.

Motion:

Councilmembers Schneider/Falcone to approve the recommendation; Ordinance No. 5450; Agreement No. 19,075.1.

Vote:

Majority roll call vote (Noes: Councilmember Francisco).

## **CONSENT CALENDAR (Item Nos. 3, 4, 6 – 9 and 12 – 15)**

The titles of the resolutions and ordinance related to Consent Calendar items were read.

Motion:

Council/Agency members Williams/Schneider to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of March 24, the regular meeting of March 25, and the special meeting of March 27, 2008.

Action: Approved the recommendation.

4. Subject: Introduction Of Amendments And Additions To Adopted Building Codes (640.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code Concerning Local Amendments to the California Building Code and California Plumbing Code, and Revising References to the Uniform Building Code in the Code to Refer to the California Building Code.

Action: Approved the recommendation (April 8, 2008, report from the Acting Community Development Director; proposed ordinance).

6. Subject: Community Promotion Contract With Semana Nautica (230.02)

Recommendation: That Council authorize the Finance Director to execute a community promotion contract for Fiscal Year 2007 with Semana Nautica in an amount of \$3,182 for May 1, 2008, to August 31, 2008.

Action: Approved the recommendation; Contract No. 22,783 (April 8, 2008, report from the Finance Director).

7. Subject: Approval Of Change Order Authority For Purchase Of Powdered Activated Carbon (540.10)

Recommendation: That Council retroactively approve Change Order authority of \$102,400 for Purchase Order No. 379014 to Norit for the purchase of Powdered Activated Carbon (PAC) to be used for water treatment at the Cater Water Treatment Plant (Cater).

Action: Approved the recommendation (April 8, 2008, report from the Acting Public Works Director).

8. Subject: Amendment To The City's Deferred Compensation Plan Authorizing Plan Loans (430.04)

Recommendation: That Council authorize the Finance Director to execute documents to amend the City's Section 457 Deferred Compensation Plan Documents to authorize participant loans.

Action: Approved the recommendation (April 8, 2008, report from the Finance Director).

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 565 Yankee Farm Road

Recommendation: That Council:

- A. Set the date of June 10, 2008, at 2:00 p.m. for hearing the appeal filed by Lori Rafferty, on behalf of neighboring property owners, of the Planning Commission approval of an application for property owned by Honuakai, LLC, and located at 565 Yankee Farm Road, Assessor's Parcel No. 047-030-005, A-1 Single Family Residence/S-D-3 Coastal Overlay Zones, General Plan Designation: Residential, One Unit per Acre. The project involves the demolition of an existing single family residence and attached carport, and construction of a new two-story, 6,960 square-foot residence, attached 730 square-foot garage, attached 402 square-foot workshop, and swimming pool with cabana. The discretionary application required for the project is a Coastal Development Permit; and
- B. Set the date of June 9, 2008, at 1:30 p.m. for a site visit to 565 Yankee Farm Road.

Action: Approved the recommendations (March 14, 2008, letter of appeal).

Agenda Item Nos. 10 and 11 appear in the Redevelopment Agency minutes.

12. Subject: Proposed Property Easements Adjacent To The Granada Garage (330.03)

- A. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Public Walkway Purposes on a Portion of the Real Property Commonly Known as 1201 Anacapa Street, Adjacent to the Granada Garage at 1221 Anacapa Street, and authorize the City Administrator to execute the easement agreement in a form acceptable to the City Attorney;
- B. That the Redevelopment Agency Board grant an easement for purposes of the placement, operation, access, use, maintenance and replacement of above-ground air conditioning equipment on a portion of Agency-owned real property adjacent to the Granada Garage at 1221 Anacapa Street, and authorize the Executive Director to execute the easement agreement in a form acceptable to Agency Counsel; and
- C. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Adopting the Findings Required by Health and Safety Code Section 33445 for Funding of All Agency-Funded Capital Improvements Adjacent to the Granada Garage.

Action: Approved the recommendations; City Council Resolution Nos. 08-023 and 08-024; City Council Agreement No. 22,784; Redevelopment Agency Agreement No. 509 (April 8, 2008, report from the Acting Public Works Director and Acting Community Development Director/Acting Deputy Director; proposed resolutions).

## NOTICES

13. The City Clerk has on Thursday, April 3, 2008, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
14. A City Council site visit is scheduled for Monday, April 14, 2008, at 1:30 p.m. to the Carrillo Recreation Center located at 100 E. Carrillo Street.
15. The site visit scheduled for April 21, 2008, at 1:30 p.m., and the public hearing scheduled for April 22, 2008, at 2:00 p.m., both related to an appeal of the Planning Commission's decision for property located at 3230 State Street, have been cancelled due to withdrawal of the appeal.

This concluded the Consent Calendar.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Das Williams reported that the Committee met to review a proposed Telecommunication and Video Users' Tax ordinance. The Committee directed Staff to return with additional language which would exempt Internet access from the ordinance provisions.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger Horton reported that the Committee reviewed the Redevelopment Agency Interim Financial Statements for the Eight Months Ended February 29, 2008; these statements were forwarded to and accepted by the Council as part of this agenda's Consent Calendar (Item No. 11).

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### FIRE DEPARTMENT

16. Subject: Roles And Responsibilities During Emergency Operations (520.02)

Recommendation: That Council receive training from the Santa Barbara City Fire Department Office of Emergency Services on roles and responsibilities of the Mayor and Council during emergency operations.

Documents:

April 8, 2008, report from the Fire Chief.

(Cont'd)

16. (Cont'd)

**Speakers:**

Staff: Fire Chief Ron Prince, Emergency Services Manager Yolanda McGlinchey, Transportation Manager Browning Allen.

**Discussion:**

Fire Department Staff described the systems in place for communicating with the public during a major disaster and also explained the ideal role that Councilmembers can play in facilitating the dissemination of that information.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

**Information:**

- Councilmember Falcone commented on her attendance at the following meetings/events: 1) a meeting of the Cachuma Operation and Maintenance Board to discuss the potential for the invasion of a mussel into Cachuma Lake; 2) the Council's joint meeting with the Planning Commission on March 27 regarding the Regional Housing Needs Allocation Process; 3) a recent meeting of the Channel Counties Division of the League of California Cities; 4) the ribbon cutting ceremony for the completion of Airfield Safety Projects; and 5) the current visit of the "Spirit of Dana Pointe" tall ship.
- Councilmember Horton mentioned his attendance, along with other Councilmembers, at the Symposium for the Arts held on April 4.
- Councilmember House reported the status of the project to reconstruct the Airport Terminal with the last meeting of the Airport Commission's Design Subcommittee.
- Councilmember Williams reported on his attendance at a meeting held in Ventura regarding mobility, which had relevance to the possible Upper State Street transit lane, and he also remarked upon the opening of the bicycle repair center at Casa de la Raza.
- Councilmember Schneider commented on the Symposium for the Arts held last Friday and also mentioned the Council's April 7 site visit to the Santa Barbara Trust for Historic Preservation's Presidio Research Center.
- Mayor Blum reported on the Council's attendance at the April 7 meeting of the Strategy Planning Committee on Youth Violence and also mentioned the completion of the Westside Storm Drain project.

## **RECESS**

The Mayor recessed the meeting at 4:01 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 17 and 18, and she stated there would be no reportable action taken during the closed sessions.

## CLOSED SESSIONS

17. Subject: Conference With Real Property Negotiators (330.03)

Recommendation: That Council hold a closed session to consider instructions to its negotiators regarding the possible sale of property owned by the City commonly known as 319 West Haley Street. Instructions to negotiators will direct staff regarding the price and terms of a possible sale of the City-owned parcel. Negotiations are held pursuant to the authority of Section 54956.8 of the Government Code. Staff negotiators will be Paul Casey, Acting Public Works Director, and Stephen Wiley, City Attorney. The other negotiating party is Work Training Programs, Inc., which holds a right of first refusal over the parcel. Under Negotiation: Price, terms of payment of a possible sale.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

April 8, 2008, report from the Acting Public Works Director.

Time:

4:05 p.m. - 4:20 p.m. Councilmember Francisco was absent.

No report made.

18. Subject: Public Employee Performance Evaluation - City Attorney (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 60 minutes; anytime

Report: None anticipated

Documents:

April 8, 2008, report from Mayor Blum.

Time:

4:20 p.m. - 5:20 p.m. Councilmember Francisco was absent.

No report made.

## **RECESS**

5:20 p.m. - 6:01 p.m.

Mayor Blum presiding.

Councilmembers present: Falcone, Horton, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: Francisco.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Tschech.

## **PUBLIC COMMENT**

Speakers: J.R. Clinton.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

### **PARKS AND RECREATION DEPARTMENT**

19. Subject: Proposed Social Host Ordinance (520.04)

Recommendation: That Council direct staff to submit a proposed Social Host Ordinance to the Ordinance Committee for consideration and to make recommendations to the Mayor and City Council.

Documents:

April 8, 2008, report from the Parks and Recreation Director.

Speakers:

- Staff: Recreation Supervisor Susan Young, Teen Programs Coordinator Roberta Payan, Recreation Programs Manager Sarah Hanna.
- Alcohol and Drug Abuse Prevention Teen Coalition: Christina Gonzalez, Alicia Flores, Evelyn Aldapa.
- Youth Council: Chair Chris McDermut.

Motion:

Councilmembers House/Williams to approve the recommendation, including the following additional direction:

- 1) That one member of the Alcohol and Drug Abuse Prevention Teen Coalition and one member of the Youth Council be invited to join the Ordinance Committee during its consideration of the proposed Social Host ordinance; and
- 2) That the drafting of the ordinance incorporate the five bulleted items listed on page 2 of the April 8, 2008, Council Agenda Report.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).



## **ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:39 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

		ATTEST:	
_____			_____
MARTY BLUM			SUSAN TSCHECH, CMC
MAYOR			DEPUTY CITY CLERK